

PATENT

ATTORNEY DOCKET NO. 114596-08-4015

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 18 2004

Serial No.: 09/332,263 Confirmation No.: 2707  
Applicant: Michael C. Adler, et al.  
Title: PROFILING EXECUTION OF A SEQUENCE OF EVENTS OCCURRING  
DURING A PROFILED EXECUTION INTERVAL THAT MATCH TIME-  
INDEPENDENT SELECTION CRITERIA OF EVENTS TO BE PROFILED  
Filed: April 15, 2003  
Art Unit: 2127  
Examiner: Kenneth Tang  
Atty. Docket: 114596-08-4015  
Customer No. 38492

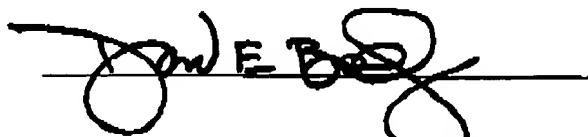
## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. In accordance with 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant wishes to make of record the enclosed items, as listed on the accompanying Form PTO-1449. Applicant respectfully requests the Examiner to fully consider the items and independently ascertain their teaching before issuance of the next action, and to make them of record in the file. The Examiner is also requested to initial and return a copy of the enclosed Form PTO-1449 to evidence such consideration.

2. Applicant has listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated. Applicant reserves the right to establish the patentability of the claims over any information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This Information Disclosure Statement should not be construed as a representation that information more material to the examination of this application does not exist.

I certify that this correspondence, along with any documents referred to therein, is being transmitted by facsimile on November 18, 2004 to Art Unit 2127 at FAX no. 703 872 9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Information Disclosure Statement

This paper dated November 18, 2004

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3. The references listed on the enclosed Form 1449 are references that have come to light in applications listed in the Information Disclosure Statement of November 2000. Applicant has not reviewed all of them in detail. Of those that have been reviewed, none of the references are believed to be any more pertinent than the references provided in earlier IDS' and Forms 1449. However, in an abundance of caution, Applicant requests that they be considered.

4. For non-patent items listed on the enclosed Form PTO-1449 for which a copy is not already made of record in this application, a copy was previously cited by or submitted to the Patent and Trademark Office in application Serial No. 09/239,194, filed January 28, 1999, Yates et al., Executing Programs for a First Computer Architecture on a Computer of a Second Architecture, or in application Serial No. 09/322,443, filed May 28, 1999, Reese et al., Profiling of Computer Programs Executing in Virtual Memory Systems.

5. The following references have previously been considered, and are listed here with expanded bibliographic information. Kindly reflect this information in the record.

- Compaq Computer Corp., Compiler Writer's Guide for the Alpha 21264 (1999)  
[www.alphalinux.org/archives/axp-list/June1999/0475.html](http://www.alphalinux.org/archives/axp-list/June1999/0475.html)
- Dean, ProfileMe: Hardware Support for Instruction-Level Profiling on Out-of-Order Processors," Proceedings of 30th Annual Intl. IEEE/ACM Symp. on Microarchitecture, pp. 292-302 (Dec. 1997)
- Kavi et al., A Performability Model for Soft Real-Time Systems, IEEE Proceedings of the 27th Annual Hawaii International Conference on System Sciences, pp. 571-579 (1994)

6. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination. No fee is due, pursuant to 37 C.F.R. §1.97(b)(4).

7. The Commissioner is hereby authorized to charge any additional fees that may be required for this Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 23-2405, Order No. 114596-08-4015.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: November 18, 2004

By:   
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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 114596-08-4015		SERIAL NO. 09/332,263	
<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				APPLICANT Michael C. Adler, et al.			
				FILING DATE April 15, 2003		GROUP ART UNIT 2127	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	4,412,303	10/25/1983	Barnes	712	16	Oct. 25, 1983	
	4,636,940	01/1987	Goodwin	717	128	Dec. 20, 1985	
	4,750,112	06/07/1988	Jones	364	200	Feb. 10, 1984	
	5,043,878	08/1991	Ooi	712	42	Aug. 9, 1989	
	5,127,092	06/30/1992	Gupta	712	234	Jun. 15, 1989	
	5,168,557	12/01/1992	Shibuya	712	207	Sep. 21, 1989	
	5,241,638	08/31/1993	Mork	711	207	Aug. 12, 1995	
	5,339,422	8/16/1994	Brender	714	4	Mar. 7, 1991	
	5,355,487	11/11/1994	Keller	717	127	Jul. 23, 1993	
	5,386,563	01/31/1995	Thomas	712	228	Oct. 13, 1992	
	5,404,476	04/04/1995	Kadaira	711	207	Mar. 9, 1993	
	5,479,616	12/26/1995	Garibay	712	212	Apr. 3, 1992	
	5,483,647	01/09/1996	Yu	713	100	Dec. 17, 1992	
	5,487,156	01/23/1996	Popsescu	712	217	Dec. 5, 1990	
	5,560,013	09/24/1996	Scalzi	717	138	Dec. 6, 1994	
	5,574,929	11/12/1996	Pieterse	712	30	Jun. 30, 1994	
	5,590,309	12/31/1996	Chencinski	395	472	Apr. 1, 1994	
	5,613,114	3/1997	Anderson	718	108	Apr. 15, 1994	
	5,613,118	03/18/1997	Heisch	395	709	Jun. 20, 1994	
	5,625,835	4/1997	Ebcioğlu	712	23	May 10, 1995	
	5,657,474	08/12/1997	Taine	711	163	Nov. 20, 1995	
	5,673,407	09/30/1997	Poland	395	375	Mar. 8, 1994	
	5,732,238	03/24/1998	Sarkozy	711	135	Jun. 12, 1996	
	5,742,780	04/21/1988	Caulk	395	382	Jan. 16, 1997	
	5,764,947	06/09/1998	Murphy	703	20	Mar. 2, 1994	
	5,781,758	07/14/1998	Morley	395	500	Mar. 23, 1995	
	5,802,337	09/01/1998	Fielden	712	216	Dec. 29, 1995	
	5,805,877	09/08/1998	Black	395	586	Sep. 23, 1996	
	5,812,864	09/22/1998	McCoy	703	26	Dec. 6, 1995	
	5,815,720	9/29/1998	Buzbee	717	158	Mar. 15, 1996	
	5,819,064	10/06/1998	Razdan	703	27	Nov. 8, 1995	
	5,854,913	12/29/1998	Goetz	712	210	Jun. 10, 1997	
EXAMINER			DATE CONSIDERED				

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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 114596-08-4015		SERIAL NO. 09/332,263	
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	5,870,763	02/09/1999	Lomet	707	202	Mar. 10, 1997	
	5,903,750	05/11/1999	Yeh	712	236	Nov. 20, 1996	
	5,911,073	06/08/1999	Mattson	395	701	Dec. 23, 1997	
	5,941,827	02/1996	Holtey	711	163	Jan. 14, 1994	
	5,960,198	09/28/1999	Roediger	717	130	Mar. 19, 1997	
	5,966,537	10/1999	Ravichandran	717	158		
	5,968,162	10/19/1999	Yard	712	203	Apr. 2, 1996	
	5,983,335	11/09/1999	Dwyer	712	23	Apr. 30, 1997	
	6,006,033	12/21/1999	Heisch	717	158	Aug. 15, 1994	
	6,006,277	12/21/1999	Talati	709	313	Jan. 26, 1996	
	6,021,484	02/01/2000	Park	712	41	Nov. 14, 1997	
	6,029,222	02/22/2000	Kamiya	710	262	Jan. 10, 1997	
	6,044,220	03/28/2000	Breternitz	717	139	Feb. 25, 1997	
	6,047,363	04/2000	Lewchuk	711	213	Oct. 14, 1997	
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	6,061,711	05/2000	Song	718	108	Aug. 19, 1996	
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	6,076,144	6/13/2000	Peled	711	125	Dec. 1, 1997	
	6,092,188	07/18/2000	Corwin	712	239	Jul. 7, 1999	
	6,115,809	09/05/2000	Mattson	712	239	Apr. 30, 1998	
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	6,141,683	10/31/2000	Kraml	709	220	Jan. 30, 1998	
	6,195,748	02/27/2001	Chrysos	712	227	Nov. 26, 1997	
	6,202,205	03/13/2001	Saboff	717	9	Jul. 21, 1998	
	6,205,545	03/20/2001	Shah	712	237	Apr. 30, 1998	
	6,212,493	04/03/2001	Huggins	703	22	Dec. 1, 1998	
	6,233,678	05/15/2001	Bala	712	240	Nov. 5, 1998	
	6,237,074	05/22/2001	Phillips	711	213	May 26, 1995	
	6,243,804	06/05/2001	Cheng	712	228	Jul. 22, 1998	
	6,256,728	07/03/2001	Witt	712	236	Jul. 6, 1998	
	6,260,191	07/10/2001	Santhanam	717	9	Apr. 7, 1997	
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>				

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	6,295,644	09/25/2001	Hsu	717	9	Aug. 17, 1999	
	6,298,477	10/02/2001	Kessler	717	145	Oct. 30, 1998	
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	6,336,135	01/01/2002	Niblett	709	215	Nov. 19, 1998	
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		Brad Calder, Peter Feller, Alan Eustace, Value Profiling, Proceedings of 30th International Symposium on Microarchitecture (Micro-30), IEEE, pages 259-269 (December 1-3, 1997)					
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		Dean, ProfileMe: Hardware Support for Instruction-Level Profiling on Out-of-Order Processors," Proceedings of 30th Annual Intl. IEEE/ACM Symp. on Microarchitecture, pp. 292-302 (Dec. 1997)			
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EXAMINER			DATE CONSIDERED		